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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,160	12/20/2001	Katsushige Hata	112857-308	5620
29175	7590	03/24/2006	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			NGUYEN, CAO H	
			ART UNIT	PAPER NUMBER
			2173	
DATE MAILED: 03/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

10/037,160

Examiner

Cao (Kevin) Nguyen

Applicant(s)

HATA ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/07/05.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas C. Basso on 03/06/06.

The application has been amended as follows:

**Claim 10 (Currently amended)** A machine readable medium having stored thereon, a program for executing functions in a virtual space constructed on a network in which a plurality of users participate as respective avatars and have conversations with other users, the program comprising the functions of:

a managing function for managing data controlling feeling expressions generated for an avatar wherein the feeling expressions correspond to the conditions detected on the living body information of a user, and wherein said managing data includes at least one state condition and at least two levels associated with each of the at least one state conditions, wherein each of the feeling expressions are based on at least one of the conditions and one of the levels;

a storage control function for controlling storage of data on image displays of the avatar which correspond to the feeling expressions; and

a display control function for controlling the image displays of the avatar based on the storage of data on the image displays.

*Allowable Subject Matter*

1. Claims 1-27 are allowed over the prior art of record.

Applicant has claimed uniquely distinct features in the instant invention which are not found in the prior art either singularly or in combination. They are a virtual space information processing system for controlling the display of an avatar, the system comprising a detection device configured to collect living body information regarding a user; a condition manager communicatively coupled to the detection device to receive the collected living body information, the condition manager configured to store a plurality of state conditions corresponding to the collected living body information wherein each of the plurality of state conditions includes a plurality of levels; a feeling expression generated in response to one of the plurality of state conditions and one of the plurality of levels corresponding to the collected plurality living body information; and a data storage device for storing graphical data of the avatar that correspond to the generated feeling expression. These features are not found or suggested in the prior art.

The present invention is directed to a condition manager communicatively coupled to the detection device to receive the collected living body information, the condition manager configured to store a plurality of state conditions corresponding to the collected living body information wherein each of the plurality of state conditions includes a plurality of levels; a feeling expression generated in response to one of the plurality of state conditions and one of the plurality of levels corresponding to the collected plurality living body information; and a data storage device for storing graphical data of the avatar that correspond to the generated feeling

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expression. Each independent claim is identified the uniquely distinct features "a condition manager communicatively coupled to the detection device to receive the collected living body information, the condition manager configured to store a plurality of state conditions corresponding to the collected living body information wherein each of the plurality of state conditions includes a plurality of levels; a feeling expression generated in response to one of the plurality of state conditions and one of the plurality of levels corresponding to the collected plurality living body information." The closest prior arts Liles and Skelly disclose a conventional system the sequence and time intervals determining a duration for displaying each visual frame of the sequence are indicated; either singularly or in combination, fail to anticipate or render the above underline limitation obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

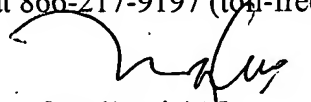
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen  
Primary Examiner  
Art Unit 2173

02/05/06